

FILED

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2011 JUL 22 PM 3:24

CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
LOS ANGELES

7 UNITED STATES DISTRICT COURT
8 CENTRAL DISTRICT OF CALIFORNIA

9 Deon L. Thomas Pro Se'
10 Plaintiff

11 V.

12 Bleier & Cox LLP
Defendant

13 Co-Defendants:

14 NCO Financial Systems, Inc., CAPITAL ONE, aka
CAPITAL ONE, NATIONAL ASSOCIATION,
CAPITAL ONE FINANCIAL CORP, CAPITAL
ONE BANK (USA), N. A., Capital One Bank
(USA), N.A. ("COBUSANA")
15 Does 1 through 10

16) Case No: 2:11-cv-04428 AHM (OPx)

17) Affidavit of Competency

18 Affidavit of Competency

19 Comes now the Plaintiff Deon L. Thomas hereinafter (Plaintiff):

20 The Co-Defendant is a corporation and not a minor, child or incompetent individual. The California Civil Process, Inc.
21 served upon the Co-Defendant CAPITAL ONE, aka CAPITAL ONE, NATIONAL ASSOCIATION, CAPITAL ONE
22 FINANCIAL CORP., CAPITAL ONE BANK (USA), N. A., Capital One Bank (USA), N.A. ("COBUSANA") agent for
23 service of process CSC-Lawyers Incorporation Service, located at , 2730 Gateway Oaks Drive, Suite 100, Sacramento,
24 CA 95834. Agent Served: Becky DeGeorge, the First Amended Summons and Complaint for this action on or about the
25 14th Day of June 2011. According to the record the Co-Defendant was due to respond on July 6th 2011. The Attorney
26 Hunter R. Eley, who was authorized to accept summons and Complaint for Co-Defendant CAPITAL ONE BANK
27 (USA), N. A., was sent a Notice and Acknowledgment of Receipt of First Amended Summons and Complaint on June 30,
28 2011. The Co-Defendant had 20 days to respond and the Co-Defendant has failed to do so as required by the summons
and complaint outlined in Rule 4. Plaintiff hereby certifies that the Co-Defendant is competent and has not responded to

1 the court or the Plaintiff in this case by the due dates outlined in the summons and complaint and not complied with the
2 date of response as outlined in the Notice and Acknowledgment of Receipt of Summons and Complaint per Rule 4 of
3 Federal Rules of Procedure.

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5 Sworn to under penalty of perjury this 22nd day of July 2011.

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Deon L. Thomas, Pro Se', Without Prejudice, All Rights Reserved
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CERTIFICATE OF SERVICE

I Joscelin B. Thomas, do hereby certify that I am not a party to the cause herein, and that on July 22, 2011, I served the **AFFIDAVIT OF COMPETENCY** upon the counsel, Hunter R. Eley, of Doll Amir & Eley LLP, named below by depositing in the United States mail, one copy of the original filed/entered herein a separate sealed envelope to the address shown below with postage full pre-paid.

Doll Amir & Eley LLP
Hunter R. Eley
1888 Century Park East, Ste. 1850
Los Angeles, CA. 90067

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: 7/02/1


(signature)

Joscelin B. Thomas
14624 Red Gum St
Monrovia, CA 91016

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CLERK U.S. DISTRICT COURT
 CENTRAL DIST. OF CALIF.
 LOS ANGELES

UNITED STATES DISTRICT COURT BY *[Signature]*
 CENTRAL DISTRICT OF CALIFORNIA

Deon L. Thomas

CASE NUMBER

2:11-CV-04428-AHM(OPx)

PLAINTIFF(S)

Defendant Bleier and Co., LLP, v. Co-Defendant NEO Financial System Inc., Capital One, aka, Capital One, National Association, Capital One Financial Corp., Capital One Bank (USA), N.A., Capital One Bank (USA), N.A. (Cobras AND)
 DEFENDANT(S).

NOTICE AND ACKNOWLEDGMENT OF RECEIPT OF SUMMONS AND COMPLAINT
 (For use with State Service only)

To: Hunter R. Eley

Attorney of Record has been copied on this summons and complaint

The summons and complaint served herewith are being served pursuant to Rule 4(e)(1) of the Federal Rules of Civil Procedure and Section 415.30 of the California Code of Civil Procedure.

You may complete the acknowledgment part of this form and return the completed form to the sender within twenty (20) days.

If you are served on behalf of a corporation, unincorporated association including a partnership, or other entity, you must indicate under your signature your relationship to that entity and your authorization to receive process for that entity. If you are served on behalf of another person and you are authorized to receive process, you must indicate your authority under your signature.

IF YOU DO NOT complete and return the form to the sender within twenty (20) days, you (or the party on whose behalf you are being served), may be required to pay any expenses incurred in serving a summons and complaint in any other manner permitted by law.

IF YOU DO complete and return this form, you (or the party on whose behalf you are being served), must answer the complaint within the time provided in Rule 12 of the Federal Rules of Civil Procedure or judgment by default may be taken against you for the relief demanded in the complaint.

I declare, under penalty of perjury, that this Notice and Acknowledgment of Receipt of Summons and Complaint was mailed on 6-30-2011.

Deon L. Thomas Pro Se, without prejudice
 Signature of Sender

ACKNOWLEDGMENT OF RECEIPT OF SUMMONS AND COMPLAINT

(To be completed by recipient)

I declare under penalty of perjury, that I received a copy of the summons and complaint in the above-captioned matter at

1000 Century Park East, Ste. 1850
 Los Angeles, CA 90067 Address

on JUNE 30, 2011

Date

Hunter R. Eley
 Signature
 Attorney for Defendant Capital One
 Relationship to Entity/Authority to Receive Service of Process